

65. (New) The rain sensor according to claim 44, wherein:
the light conducting element forms a cover of the housing.

66. (New) The rain sensor according to claim 20, wherein:
the first region includes a black plastic, and
the second region includes a transparent plastic.

REMARKS

With the addition of claims 42-66, claims 20-66 are now pending in the above-referenced application.

Claims 20-24, 27-29, 38, and 41 stand rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 5,661,303 to Teder. Applicants have amended claim 20 to recite that the light conducting element includes a first region having a first color and a second region having a second color that is different than the first color. Support for this amendment is found at least in page 5, line 32, to page 6, line 1, of the specification. Nothing in Teder teaches or even suggests the use of such a light conducting element. Indeed, the element that the Examiner believes corresponds to the recited light conducting element, coupler 24, is described as being made from a single polycarbonate or other similar material (column 6, lines 46-47), but is not described in any way as including plural regions having different colors. Accordingly, withdrawal of the rejection of claim 20 is respectfully requested.

As for claims 21-24, 27-29, 38, and 41, Applicants submit that these claims are patentable for at least the same reasons given in support of the patentability of claim 20.

Claims 25, 26, 37, 39, and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Teder in view of United States Patent No. 5,560,245 to Zettler et al. ("Zettler"). Since Zettler does not overcome the deficiency noted above with respect to Teder, Applicants submit that these claims are patentable for at least the same reasons given in support of the patentability of claim 20.

Claim 30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Teder in view of United States Patent No. 6,191,531 Reime. Not only does Reime fail to cure the deficiency noted above with respect to Teder, but Reime is not even prior art with respect to the claims of this application and should have never been used to reject claim 30. In particular, the international filing date of January 8, 1999, of the

underlying PCT application serves as the filing date for this application. This filing date precedes the issue date of February 20, 2001, of Reime, and it also precedes the § 102(e) date of May 2, 2000, of Reime. What's more, the Examiner cannot even rely on the corresponding PCT publication of Reime because that publication has a publication date of May 14, 1999, which is again preceded by Applicants' January 8, 1999, filing date. Accordingly, for at least these reasons, withdrawal of the rejection of claim 30 is respectfully requested.

Claims 31 and 32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Teder in view of United States Patent No. 4,701,613 to Watanabe et al. ("Watanabe"). Since Watanabe does not overcome the deficiency noted above with respect to Teder, Applicants submit that these claims are patentable for at least the same reasons given in support of the patentability of claim 20.

Claims 33 and 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Teder in view of United States Patent No. 4,871,917 to O'Farrell et al. ("O'Farrell"). Since O'Farrell does not overcome the deficiency noted above with respect to Teder, Applicants submit that these claims are patentable for at least the same reasons given in support of the patentability of claim 20.

Claims 35 and 36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Teder in view of O'Farrell and United States Patent No. 5,225,669 to Hasch et al. ("Hasch"). Since Hasch does not overcome the deficiency noted above with respect to Teder, Applicants submit that these claims are patentable for at least the same reasons given in support of the patentability of claim 20.

Applicants have added new claims 42-66. Claims 42 and 43 are dependent from claim 20. Claim 42 recites that the at least one ambient light sensor of claim 33 is sensitive to visible light. In rejecting claim 33, the Examiner relies on photovoltaic cell 166 in O'Farrell. Unlike cell 166, however, which detects ambient infrared light (column 10, lines 7-10), claim 42 recites that the ambient light sensor is sensitive to visible light. Therefore, for at least this reason, claim 42 is patentable over the combination of Teder and O'Farrell and also over the rest of the references relied on by the Examiner, either alone or in combination with each other. Claim 43 recites that the light conducting element forms a cover of the housing and is patentable for at least the same reasons given in support of the patentability of claim 20.

New independent claim 44 also recites an ambient light sensor that is sensitive to visible light. Accordingly, Applicant submits that claim 44 is patentable over the combination of Teder and O'Farrell and also over the rest of the references relied on by the Examiner, either alone or in combination with each other. Claims 45-66 are patentable for at least the same reason as claim 44.

In light of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,
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Dated: 6/24, 2003

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[10191/1583]

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In The Claims

Claims 20, 24, 26, 33, and 37-40 have been amended as follows:

20. (Amended) A rain sensor arranged with respect to a measuring distance in which is arranged a windshield, comprising:
a housing;

[including] a light conducting element adapted to be joined to the housing [forming a cover of the housing], wherein the light conducting element includes a first region having a first color and a second region having a second color that is different than the first color; and

a plurality of optical and electronic components mounted in the housing and including:

at least one transmitter for transmitting an electromagnetic wave, and

at least one receiver for receiving the electromagnetic wave, the measuring distance influencing a wave propagation between the at least one transmitter and the at least one receiver such that when a coating forms on the windshield, an output signal sensed by the at least one receiver is changed.

24. (Amended) The rain sensor according to claim 23, further comprising:

a common printed circuit board on which is mounted the plurality of optical and electronic components in accordance with SMD technology.

26. (Amended) The rain sensor according to claim 25, further comprising:

contact pins through which the common printed circuit board is connected to the integrated connector.

33. (Amended) The rain sensor according to claim 20, wherein: the [at least one receiver] plurality of optical and electronic components includes at least one ambient light sensor.

37. (Amended) The rain sensor according to claim 20, wherein: [where an infrared light is used, the light conducting element is formed of] the first region includes a black plastic.

38. (Amended) The rain sensor according to claim 20, wherein: [the light conducting element includes optical areas formed from] the second region includes a transparent plastic [for the at least one receiver].

39. (Amended) The rain sensor according to claim 20, wherein: [the light conducting element includes a plastic part formed according to] the first region and the second region are formed according to a two-color injection molding process.

40. (Amended) The rain sensor according claim 20, wherein: the first region and the second region correspond to two single-color plastics, and the light conducting element is formed by combining the two single-color plastics.